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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/811,905

03/30/2004

Takeshi Teramura

TSM-39

3186

24956

7590

06/30/2006

MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C.
1800 DIAGONAL ROAD
SUITE 370
ALEXANDRIA, VA 22314

EXAMINER

BANGACHON, WILLIAM L

ART UNIT

PAPER NUMBER

2612

DATE MAILED: 06/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/811,905

Applicant(s)

TERAMURA ET AL.

Examiner

William L. Bangachon

Art Unit

2612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9,12 and 15-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9,12 and 15-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☒ Other: Examiner comment's.

DETAILED ACTION

Election/Restrictions

1. Applicant's election without traverse of Group I (claims 1-9, 12 and 15-18) in the reply filed on 4/18/2006 is acknowledged.

Specification

2. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a **single paragraph** on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

6. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Art Unit: 2612

7. Claims 1-3, 5-9 and 15-18 are rejected under 35 U.S.C. 102(e) as being anticipated by USP 6,822,552 {Lid n et al}.

In claim 1, Lid n et al teach of an electronic key system shown in Figure 1, which provides services with the use of an electronic key, said system comprising:

a user module (i.e. user key 101 or C-Key 102) which has stored electronic key data having a main ID (i.e. Secret Key ID SKID) and a sub ID (i.e. Public Key ID PKID) to identify an electronic key (101) {col. 5, lines 11-54}, and a service providing device (i.e. lock 20) which judges allowance or denial of provision of service shown in Figure 2, wherein:

said user module (key 101 or C-Key 102) comprises accepting means (i.e. contact 101c) which accepts an electronic key transmission request from said service providing device (20) {col. 4, lines 5-6},

and

transmitting means (101c) which transmits said electronic key data to said service providing device (20) {col. 4, lines 5-6+};

said service providing device (lock 20) comprises:

storing means (20a) which stores service allowance information (i.e. A-list) to allow the provision of services and service denial information (i.e. NA-list) to deny the provision of services {col. 4, lines 13-16+},

accepting means (i.e. contact 20c) which accepts said electronic key data from said user module {col. 4, lines 17-21+},

first judging means which judges whether the main ID (SKID) in said accepted electronic key data is present in said service allowance information (i.e. A-list) {col. 6, lines 26-32},

second judging means which judges whether the sub ID (PKID) in said accepted electronic key data is present in said service denial information (i.e. NA-list) {col. 6, lines 35-38}, and

provision judging means which judges allowance or denial of the provision of services (i.e. open the lock) {col. 4, lines 22-25} according to results of said first and second judgments {col. 6, lines 1-5}.

In claim 2, said provision judging means allows the provision of services when said first judging means judges that the main ID (SKID) is present in said service allowance table and said second judging means judges that the sub ID (PKID) is absent in said service denial table {col. 6, lines 1-5 and lines 27-38+}.

In claim 3, said electronic key data comprises shared hierarchy data {col. 5, lines 7-10+} indicating whether the electronic key can be shared or not; and

said user module (key 101 or C-Key 102) further comprises generating means which generates an electronic key to be shared, having a same main ID (SKID) and a different sub ID (PKID), when the shared hierarchy data indicates that the electronic key can be shared {col. 8, lines 50-54; col. 9, lines 30-35+}.

Claim 5 recites the user module of claim 1 and therefore rejected for the same reasons.

Claim 6 further comprise of a sharing request accepting means which accepts an electronic key sharing request {col. 8, lines 50-54; col. 9, lines 30-35+}.

Claim 7 further comprise sharing judging means which judges that the electronic key cannot be shared when the shared hierarchy data has a specific value and the electronic key can be shared when the shared hierarchy data has a value other than said specific value {col. 6, lines 19-25},

wherein said .generating means generates said electronic key data to be shared by changing the value of the shared hierarchy data in said electronic key data by subtracting "1" therefrom (i.e. UID=0).

Claims 8 and 9 recite the service providing device of claim 1 and therefore rejected for the same reasons. 9.

Claims 15 and 17 recite a program of a computer apparatus used for the service providing device of claim 1.

Claim 16 recites the service providing device of claim 6 and therefore rejected for the same reasons.

Claim 18 recites a method for practicing the service providing device of claim 1 and therefore rejected for the same reasons.

8. Claims 4 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over USP 6,822,552 {Lidén et al} in view of USP 5,614,703 {Martin et al}.

Art Unit: 2612

In claim 4, Lidén et al disclose an electronic key managing apparatus (i.e. Distributor programming box 200 or Manufacturer programming box 300) which manages an electronic key service {col. 3, lines 12-62}.

wherein:

said electronic key managing apparatus (programming box) comprises:

a means which stores a client table (i.e. TABLE 1a or 1b) containing a membership number (i.e. GR-UID) and a sub ID (PKID) to identify a user,

invalidation judging means which judges whether the sub ID (PKID) in said client table (i.e. TABLE 1a or 1b) corresponding to the accepted membership number matches with the accepted sub ID and judges, according to a result of said judgment, whether entire invalidation processing for invaliding all user modules having a same main ID or partial invalidation processing for invaliding all a user module having a same sub ID is to be performed {col. 10, lines 17-21, lines 26-32} and

transmitting means which transmits a result of said invalidation judgment to said service providing device {col. 10, lines 20-21}; and

said service providing device further comprises changing means which changes said service denial table or said service allowance table according to the result of said invalidation judgment {col. 8, lines 50-67}.

Lidén et al do not disclose **“accepting means which accepts the membership number and the sub ID from an external system”**. Martin et al, in the same field of endeavor (secured entry systems), teach of “accepting means (i.e. guest or personnel

registration system 10) which accepts the membership number (i.e. personal identification) and the sub ID from an external system (i.e. keypad 30 or card reader 25) for the purpose of registering a guest and enable the guest to use the system {Martin et al, paragraph bridging cols. 11 and 12+}. Martin suggests that the registration system is advantageous because it eliminates the need for a staff to continuously man the system {Martin, col. 12, lines 53-57} and be able to centrally control any number of doors in a facility without the need for electrical wiring between the doors and a central control system {Martin, col. 1, lines 16-20}. Therefore, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to include **"accepting means which accepts the membership number and the sub ID from an external system** {Martin et al, paragraph bridging cols. 11 and 12+}" in the system of Lidén et al because, as taught by Martin et al, it eliminates the need for a staff to continuously man the system {Martin, col. 12, lines 53-57} and be able to centrally control any number of doors in a facility without the need for electrical wiring between the doors and a central control system {Martin, col. 1, lines 16-20}.

Claim 12 recites the electronic key managing apparatus of claim 4 and therefore rejected for the same reasons.

Office Contact Information

9. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to William Bangachon whose telephone number is (571)-

Art Unit: 2612


272-3065. The Examiner can normally be reached on Monday – Thursday, 8:30 AM – 4:30 PM.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Wendy Garber can be reached on **(571)-272-7308**. The fax phone numbers for the organization where this application or proceeding is assigned is **571-273-8300** for regular and After Final formal communications. The Examiner's fax number is **(571)-273-3065** for informal communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at **866-217-9197** (toll-free).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

June 26, 2006


WENDY R. GARBER
SUPERVISORY PATENT EXAMINER
TECHNICAL CENTER

William L Bangachon
Examiner
Art Unit 2635